

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

July 17, 2008



RZ 08-18: David Jay Dotson

CASE DESCRIPTION: a request to change the zoning classification from a combination of Mixed Use Residential District (MU-1) and Residential District – 5000 (RD-5) to Mixed Use Residential District -5000 (RD-5)

LOCATION: 10.25 acres of vacant land out of the Stephen F. Austin League No.9, Abstract 62, adjoining the southwest side of Palasota Drive between Beck Street and McArthur Avenue in Bryan, Brazos County, Texas

LEGAL DESCRIPTION: 10.25 acres of land, Stephen F. Austin League No.9, Abstract 62

EXISTING LAND USE: vacant acreage

APPLICANT(S): David Jay Dotson

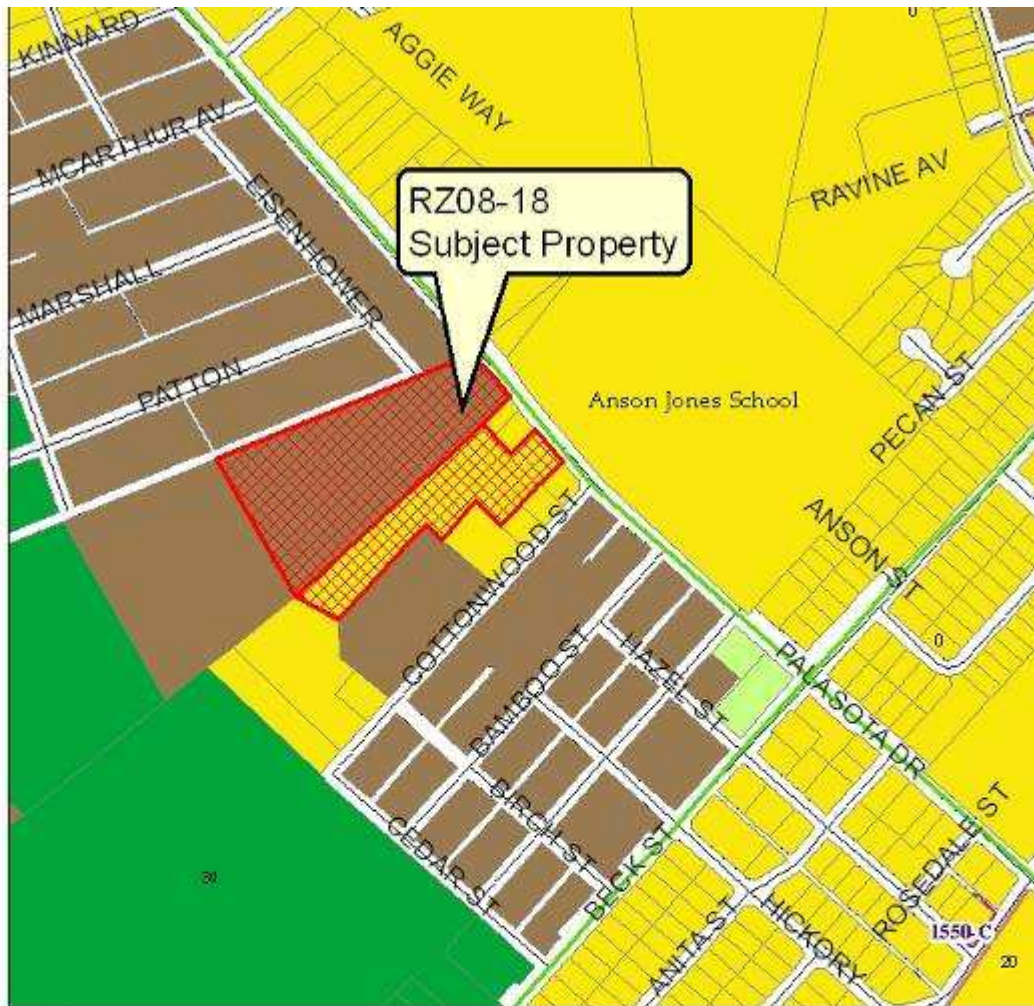
STAFF CONTACT: Randy Haynes, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** MU-1 zoning, as requested.

BACKGROUND:

The applicant developed and operated a manufactured home community on the subject tract for a number of years. Presently the acreage is vacant and unused. A large percentage of the 10.25 acres lies within the FEMA defined flood hazard area. The applicant wishes to place a manufactured home on the portion of land not within the flood plain. The area of the property where he would like to place the manufactured home is zoned RD-5. Manufactured homes are not permitted within the RD-5 zoning district. The applicant is requesting to change the zoning to MU-1 District, in order to be able to place the manufactured home on this property. The only difference between RD-5 and MU-1 zoning is that MU-1 zoning allows manufactured homes on individual lots by right, and manufactured housing land lease communities with approval of a conditional use permit from the Planning and Zoning Commission.

LOCATION MAP:



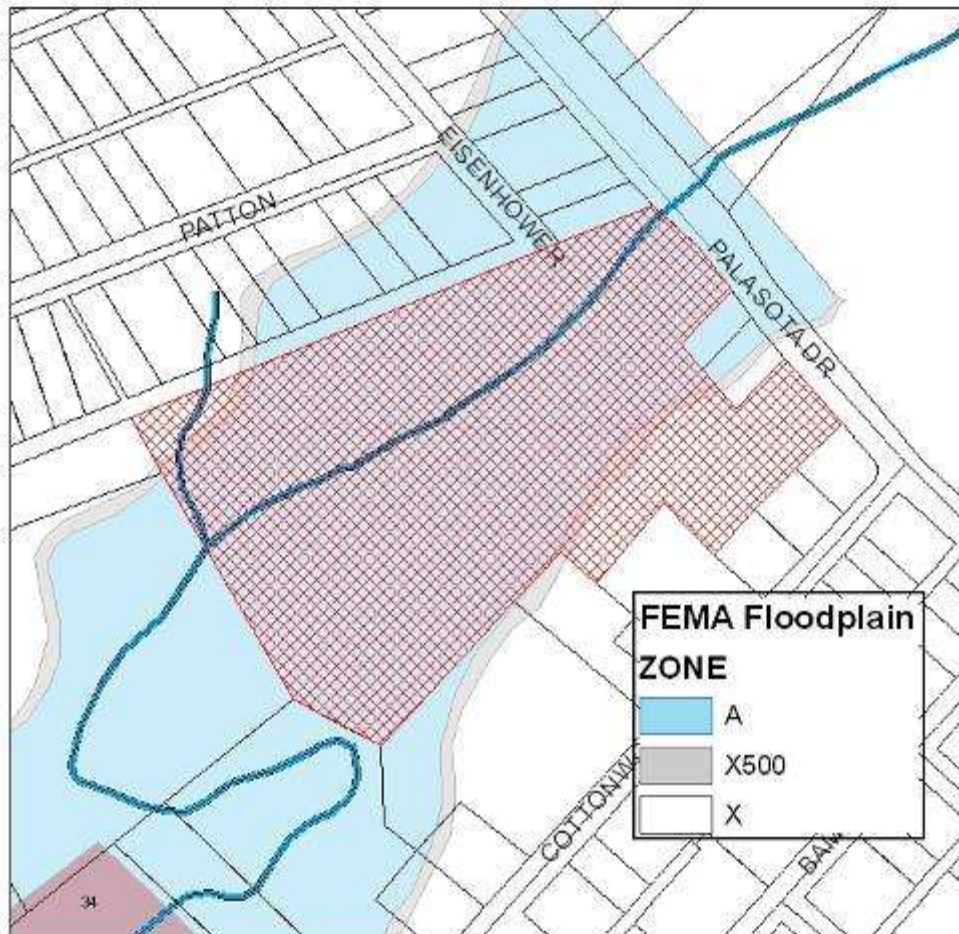
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ZONING

AGRICULTURAL OPEN DISTRICT (A-O)	MIXED USE RESIDENTIAL DISTRICT (MU-1)
OFFICE DISTRICT (C-1)	MIXED USE GENERAL DISTRICT (MU-2)
RETAIL DISTRICT (C-2)	MULTI FAMILY DISTRICT (MF)
COMMERCIAL DISTRICT (C-3)	PLANNED DEVELOPMENT DISTRICT (PD)
DOWNTOWN CIVIC DISTRICT (DT-C)	RESIDENTIAL 5000 DISTRICT (RD-5)
DOWNTOWN NORTH DISTRICT (DT-N)	RESIDENTIAL 7000 DISTRICT (RD-7)
DOWNTOWN SOUTH DISTRICT (DT-S)	RESIDENTIAL NEIGHBORHOOD CONSERVATION DISTRICT (R-NC)
INDUSTRIAL DISTRICT (I)	SOUTH COLLEGE BUSINESS DISTRICT (SC-B)
	SOUTH COLLEGE RESIDENTIAL DISTRICT (SC-R)

FLOODPLAIN MAP:



adjacent properties along Cottonwood Street



looking at subject property from Palasota Drive



adjacent property on Palasota Drive

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted the Comprehensive Plan Update in 2007. The plan is the framework for the establishment of zoning and other regulatory tools. The current plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission shall consider the following when making its recommendation regarding this particular rezoning request:

Chapter 5: Land Use

5.5. Land Use Policies

Use-Specific Land Use Policies

Low Density Residential land serves to provide housing and living units for a variety of people with a range of incomes and needs. It predominantly consists of detached single family dwellings but may consist of other housing types as long as densities remain low; up to 8 dwelling units per acre.

Redevelopment and Infill Policies

Policy statements:

- The City of Bryan will encourage and promote compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically.
- Residential redevelopment and infill shall be sensitive to the context within which it occurs. Contextual standards shall be included to ensure compatibility with surrounding residential areas, to include lot size, setbacks, density, building height and mass and architectural design.

Land Use Goal #1:

Achieve a balance of land uses within the city.

Land Use Goal #1, Objective A:

Achieve a sustainable mix of land use types in suitable locations, densities and patterns.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to general area and the City as a whole.

The immediate area of the subject property is lightly developed with a mixture of manufactured and site built homes. Staff believes that a new home on this property would be appropriate in this particular environment. Manufactured housing should not appear out of character in this neighborhood, given the existence of other such housing in the area. Staff believes rezoning the subject property to MU-1 District is appropriate in this particular environment and consistent with the land use recommendations and policies articulated in Bryan's Comprehensive Plan.

2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

The subject property has direct access to water and wastewater services. The area of the property proposed as a home site fronts on Palasota Drive, a minor arterial street. Typically access onto this class of roadway by a single dwelling should be avoided. Because there is a creek and floodplain area on the west side of the street and Anson Jones School property exists to the east, driveway access to Palasota Drive in this area will be limited. These conditions mitigate the addition of a driveway along this section of Palasota Drive.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

There are a considerable number of infill lots available within the immediate area. A significant portion of these lots do not have city infrastructure extended in a manner that makes development economically feasible. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Interest in lots available for placement of manufactured homes within the city and this vicinity is significant. The rate that property is being developed and offered for sale within MU-1 zoning districts is somewhat slow.

5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

Without further subdivision of this ten-acre tract, approval of this rezoning request will only allow one additional dwelling unit on this property. The effect on other areas designated for similar development will be negligible. Even if the subject property were to be subdivided in the future, staff contends that MU-1 zoning would still be appropriate in

this area. Lots abutting the subject property that remain zoned RD-5 are unlikely to be affected by this change.

6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

Staff has identified no factors resulting from this requested zoning change that will affect health, safety, morals, or general welfare.

RECOMMENDATION:

Staff recommends **approving** MU-1 zoning, as requested.